REPORT SUMMARY

THIS PROPOSAL HAS BEEN PLACED INTO THE EXPEDITED APPROVAL PROCESS YOUR ATTENDANCE IS NOT REQUIRED BEFORE THE LAND DIVISION COMMITTEE. PLEASE SIGN and RETURN THE 'AGREEMENT TO CONDITIONS' LETTER IMMEDIATELY

Date of Consideration: **September 10, 2015**

File Number: **B59/15**

Applicant: **Kathleen Walsh**

Subject Lands: TOWN OF ERIN – Part Lot 6, Concession 4

Proposal is a request for consent to convey fee simple for a proposed severance 40m fr x 104m = 0.4 hectares (0.99 acres) in the TOWN OF ERIN – Part Lot 6, Concession 4, vacant land for proposed rural residential use; retained lands are 9.3 hectares (23 acres). Lapsed application B22/14

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Town of Erin – in support of application; conforms to Official Plan and Zoning; conditions to be addressed

County Planning - notice cards were posted at time of site visit; application is consistent with Provincial Policy and generally conforms to Official Plan – Secondary Agricultural and Core Greenlands; Core Greenlands designation appears to be well removed from proposed lot.

Conservation Authority (GRCA) – no objection to resubmission of lapsed applicatin

PROPOSED CONDITIONS of APPROVAL

1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
2) THAT the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent B59/15.
3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
5) THAT the Owner provides written confirmation from a licensed septic installer that the existing septic system is functioning properly and the required setbacks from property boundaries are in compliance with the Ontario Building Code to the satisfaction of the Town of Erin; and further that the Town of Erin file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition
6) THAT the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
8) THAT the owner satisfy the requirements of the Town of Erin concerning road widening conveyances along the frontage of the severed and retained parcel; and that the Town of Erin files with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
9) THAT the Owner provide a survey confirming the location of the proposed entrance that should meet the standards outlined in the entrances by-law 10-47 to the satisfaction of the Town of Erin; and further that the Town of Erin file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition
10) THAT the owner provide a predevelopment site drainage and grading plan to the satisfaction of the Town of Erin (denoting the existing lot elevations, proposed driveway, buildings/septic field location and existing overland flow together with proposed elevations and grading, demonstrating that drainage and grading do not impact on adjacent properties or trees noted for preservation); and that the Town of Erin files with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*****Conditions may be deleted, added to, or changed at meeting*****

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

August 27, 2015

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B59/15

APPLICANT

Kathleen Walsh
5122 Fourth Line
Acton ON L7J 2L8

LOCATION OF SUBJECT LANDS:

TOWN OF ERIN
Part Lot 6
Concession 4

Proposed severance is 40m fr x 104m = 0.4 hectares, vacant land for proposed rural residential use. Re-submission of lapsed application B22/14.

Retained parcel is 9.3 hectares with 89m frontage, existing and proposed rural residential use with 2 existing houses and a shed.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, September 10, 2015**

for the purpose of considering this **EXPEDITED APPLICATION.**

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR IS NOT REQUIRED TO ATTEND**. MAKE SURE THAT THE AGREEMENT LETTER IS SIGNED AND RETURNED TO THE PLANNING AND LAND DIVISION COMMITTEE OFFICE.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office, 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇨ **Government**
- ⇨ **Council and Standing Committees**
- ⇨ **Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **Choose Land Division Committee in the drop down menu**
- ⇨ **open appropriate agenda**

TO: **Applicant – Kathleen Walsh**

RECEIVED
AUG 12 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

FILE NO: B59/15

APPLICANT

Kathleen Walsh
5122 Fourth Line
Acton ON L7J 2L8

LOCATION OF SUBJECT LANDS

TOWN OF ERIN
Part Lot 6
Concession 4

Proposed severance is 40m fr x 104m = 0.4 hectares, vacant land for proposed rural residential use.
Re-submission of lapsed application B22/14.

Retained parcel is 9.3 hectares with 89m frontage, existing and proposed rural residential use with 2 existing houses and a shed.

RECEIVED
JUL 14 2015
TOWN OF ERIN

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 01-014200

Does this description reasonably describe the parcel holdings? YES(x) NO( )

If answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES(x) NO( )

What Section(s) does it conform to or contravene? (Please specify)

_____

_____

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES [x] NO [ ]

(Please Specify) _____

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [x] NO [ ]

(Please Specify) _____

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-Law to permit the proposal to conform? YES( ) NO( ) N/A(x) or **Minor Variance** YES( ) NO( ) N/A(x)

Is proposal on an opened maintained year-round public road YES(x) NO( )
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road ?

Please specify _____

_____

Is the Proposed Lot(s) serviced now by Municipal Water YES( ) NO(x)

Is the Retained Lot serviced now by Municipal Water YES( ) NO(x)

Is the Proposed Lot(s) serviced now by Municipal Sewers YES( ) NO(x)

Is the Retained Lot serviced now by Municipal Sewers YES( ) NO(x)

Is there a **Capital Works Project** underway to service these lots in the near future YES( ) NO(x)

Approximate Time of Servicing Availability: _____

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B59/15

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?
YES [x] NO [ ]

Is there any further information that may assist the Planning and Land Division Committee?
[A letter may be attached if there is insufficient space to explain]

Is the Municipality in support of this application? **YES(x) NO( )**

What Conditions, if any, are requested by the Municipality if the Consent is granted?

See Attached

Does the Municipality request a Notice of the Decision? YES(x) NO( )

SIGNATURE _____

TITLE: Building and Planning Assistant

ADDRESS: 5684 Trafalgar Road, Hillsburgh ON N0B 1Z0

DATE: August 10, 2015

Corporation of the Town of Erin
5684 Trafalgar Road
RR2 Hillsburgh ON N0B 1Z0
(519) 855-4407 Ext. 240 Fax: (519) 855-4281
EMAIL: Jessica.wilton@erin.ca

Severance Application Recommendation

To: County of Wellington Land Division Committee
From: Jessica Wilton, Building & Planning Assistant
Date: August 10, 2015
Applicant: Kathleen Walsh
Location: 5122 Fourth Line
File: B59/15

Official Plan: Secondary Agricultural & Core Greenlands
Zoning: A- Agricultural & EP2- Environmental Protection

Recommendation: The Town of Erin relies on the County of Wellington to confirm compliance with Minimum Distance Separation Formulae. The Town of Erin requests that the following conditions of approval be required. The Town of Erin will file clearance of these conditions with the Secretary-Treasurer of the Committee of Adjustment once the conditions have been fulfilled.

1. That the owner provides written confirmation from a licensed septic installer that the existing septic system is functioning properly and the required setbacks from property boundaries are in compliance with the Ontario Building Code.

2. That the owner pay parkland dedication and satisfy any other requirements of the local municipality, financial and otherwise to which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands.

3. Request a 3m road widening on the severed and retained parcels, anything beyond that is beyond the control of the applicant.

1. Provide a survey confirming the location of the proposed entrance that should meet the standards outlined in the entrances by-law 10-47.

2. That the owner provide a predevelopment site drainage and grading plan to the satisfaction of the Town of Erin, denoting the existing lot elevations, proposed driveway, buildings/septic field location and existing overland flow together with proposed elevations and grading, demonstrating that drainage and grading do not impact on adjacent properties or trees noted for preservation.

Planning and Development Department | County of Wellington
County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

Application	B59/15
Location	Part Lot 6, Concession 4 TOWN OF ERIN
Applicant/Owner	Kathleen Walsh

PLANNING OPINION: This application is a resubmission of B22/14 which was approved by the Committee but lapsed.

This application is consistent with Provincial policy and would generally conform to the Official Plan, provided that servicing can be provided to the satisfaction of the Town and that as a condition of approval safe driveway access can be provided to the satisfaction of the Town.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): With respect to Minimum Distance Separation 1 (MDS1) we note that the applicant previously received Minor Variance relief for the setback from the livestock operation to the northeast.

GREENBELT PLAN: Not within Greenbelt Plan area.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated SECONDARY AGRICULTURAL and CORE GREENLANDS. The Core Greenlands designation appears to be well removed from the proposed lot.

According to Section 10.4.4, one new residential lot may be allowed from a parcel of land within the Secondary Agricultural designation, which existed on March 1, 2005, subject to the following criteria:

a) The lot generally meets a 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, consisting of the dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements;
b) The accessory buildings referred to in a) above may include a hobby barn, subject to local regulations;
c) The lot has access to an open public road;
d) The residential use will not hinder or preclude the present use or future potential for agricultural or mineral aggregate operations;
e) The residential use is compatible with surrounding development;
f) The use is well removed from any settlement boundary;
g) The lands have been owned by the applicant for at least five years.

No new lots have been created on the parcel since March 1, 2005 and the lands have been owned by the applicant for over five years.

The matters under Section 10.1.3 were also considered including b) "that all lots can be adequately serviced with water, sewage disposal.....to accepted municipal standards" and d) "that all lots will have safe driveway access to an all-season maintained public road".

LOCAL OFFICIAL PLAN: The subject property is designated Secondary Agricultural and Core Greenlands.

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A) and Rural Environmental Protection (EP2). Both lots would meet the applicable minimum lot area and frontage requirements.

SITE VISIT INFORMATION: The subject property was visited and photographed on July 27, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
July 28, 2015

RECEIVED
JUL 29 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

400 Clyde Road, P.O. Box 729 Cambridge, ON N1 R 5W6

PLAN REVIEW REPORT: County of Wellington, Planning & Land Division Committee

DATE: August 6, 2015 **YOUR FILE: B59/15**
GRCA FILE: WELLINGTON\ERIN\2015\Severance

RE: **Application for Consent B59/15 (Re-submission of lapsed application B22/14)**
Kathleen Walsh
5122 Fourth Line
Part Lot 6, Concession 4

GRCA COMMENT: *

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the consent application to sever a 0.4 hectare parcel of land for proposed rural residential use.

Please see GRCA's comments on the previous application, B22/14.

Should you have any questions or require further information, please contact the undersigned at extension 2320.

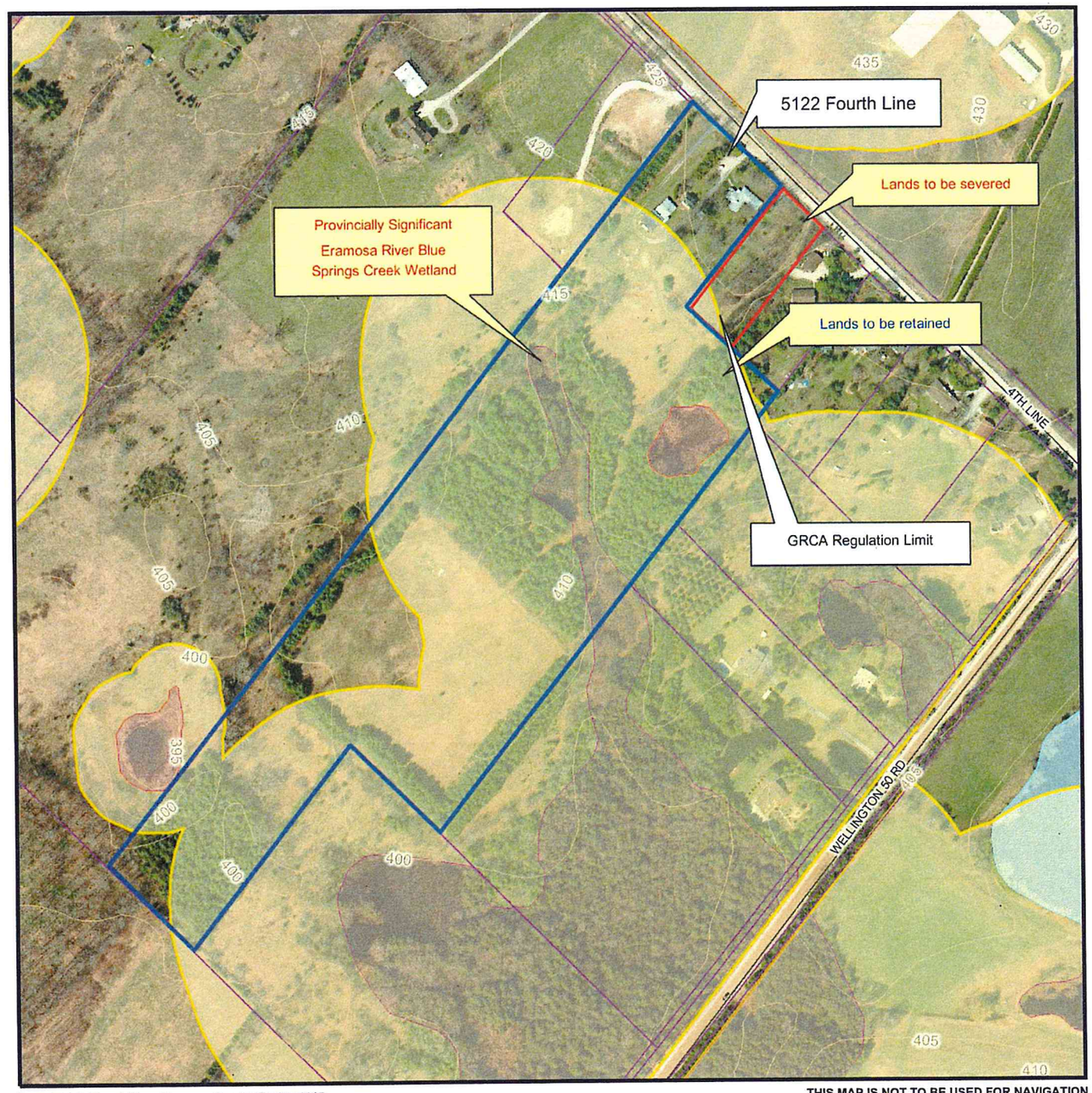
Yours truly,

Jason Wagler, MCIP, RPP
Resource Planner
Grand River Conservation Authority

These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.

Encl. (1)
cc. Town of Erin
Kathleen Walsh, 5122 Fourth Line, Acton, ON, L7J 2L8

RECEIVED
AUG 18 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority

Map created: August 6, 2015

B59/15 (B22/14)

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- WATERCOURSE - DRAFT (GRCA)
- DRAINAGE-NETWORK (GRCA)
- PARCELS (WELLINGTON)
- PARCELS-ASSESSMENT (MPAC)
- CONTOUR 5m (NRVIS)
- FLOODPLAIN (GRCA)
  - ENGINEERED
  - APPROXIMATE
  - ESTIMATED
- WETLAND (GRCA)
- SLOPE EROSION (GRCA)
  - STEEP
  - OVERSTEEP
  - TOE
- WETLAND (NRVIS)
  - PROVINCIALLY SIGNIFICANT
  - LOCALLY SIGNIFICANT
  - UNEVALUATED
- REGULATION LIMIT 2014 (GRCA)
- WATERBODY - DRAFT (GRCA)
- DRAINAGE-POLY (NRVIS)
- 2010 ORTHO (ONT)

GRCA Disclaimer

This map is for illustrative purposes only. Information contained hereon is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to:

http://grims.grandriver.ca/docs/SourcesCitations1.htm

0 45 90 135 180 m.

NAD 1983, UTM Zone 17 Scale 1:4,000

N

400 Clyde Road, P.O. Box 729, Cambridge, ON N1R 5W6
Phone: 519-621-2761 **Toll free:** 866-900-4722 **www.grandriver.ca**

PLAN REVIEW REPORT:	**County of Wellington, Planning & Land Division Committee** **Deborah Turchet, Secretary-Treasurer**

DATE: April 3, 2014 **YOUR FILE:** B22/14
GRCA FILE: Erin/2014/Sev

RE: Application for Consent B22/14
5122 Fourth Line
Part Lot 6, Concession 4
Kathleen Walsh

GRCA COMMENT:*
The Grand River Conservation Authority (GRCA) has no objection to the consent application to sever a 0.4 hectare parcel of land for proposed rural residential use.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at our office indicates that the lands to be retained contain a portion of the Provincially Significant Eramosa River Blue Springs Creek Wetland Complex, as well as the regulatory allowance associated with this feature.

   The lands to be severed contain the allowance associated with the Provincially Significant Eramosa River Blue Springs Creek Wetland Complex.

2. **Legislative/Policy Requirements and Implications:**

   Due to the presence of the above noted feature, portions of both the proposed retained and severed lands are regulated by the GRCA under the Development, Interference, with Wetlands, and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). Future development within the GRCA regulated area will require a permit from this office.

   The County of Wellington Official Plan suggests that where a new lot is proposed adjacent to a significant wetland feature, an Environmental Impact Study (EIS) may be required to determine that there will be no negative impacts on the wetlands feature. It appears that the rear of the proposed future lot is located more than 50 metres from the limit of the wetland feature. On this basis, GRCA staff does not anticipate any significant negative impacts to the wetland as a result of this application.

3. **Additional Information/Suggestions provided in an advisory capacity:**

   We wish to acknowledge receipt of the applicable plan review fee in the amount of $380.00 for the processing of this application. A separate fee of $250.00 was received by the GRCA for the review

of the related Town of Erin minor variance application A02-14. In accordance with GRCA's current fee schedule, the highest fee has been applied and the difference refunded.

Should you have any questions or require further information, please contact the undersigned at extension 2320.

Yours truly,

Jason Wagler, MCIP, RPP
Resource Planner
Grand River Conservation Authority

* ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***

Encl. (1)
cc. Town of Erin
Kathleen Walsh, 5122 Fourth Line, Acton, ON, L7J 2L8